

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|------------------------------------|---|-----------------------|
| SAMSUNG ELECTRONICS CO. LTD, |) | |
| SAMSUNG ELECTRONICS AMERICA, INC., |) | |
| SAMSUNG TELECOMMUNICATIONS |) | |
| AMERICA GENERAL, LLC, |) | |
| SAMSUNG SEMICONDUCTOR, INC., and |) | |
| SAMSUNG AUSTIN SEMICONDUCTOR LLC, |) | |
| |) | C.A. No. 06-720 (***) |
| Plaintiffs, |) | |
| |) | |
| v. |) | |
| |) | |
| ON SEMICONDUCTOR CORP. and |) | |
| SEMICONDUCTOR COMPONENTS |) | |
| INDUSTRIES, LLC, |) | |
| |) | |
| Defendants. |) | |

DEFENDANTS' MOTION TO DISMISS THE AMENDED COMPLAINT

Defendants ON Semiconductor Corp. and Semiconductor Components Industries, LLC ("ON Semiconductor") hereby move to dismiss the declaratory judgment claims of plaintiffs' December 21, 2006 Amended Complaint (D.I. 8) for lack of subject matter jurisdiction under Fed. R. Civ. P. 12(b)(1). In the alternative, the Court should decline to exercise jurisdiction because the purposes of the Declaratory Judgment Act and the principles of sound judicial administration would not be served by hearing this action. The grounds for this motion are set forth more fully in ON Semiconductor's opening brief, filed herewith.

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January 10, 2007

663524.1

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on January 10, 2007, I electronically filed the foregoing with the Clerk of the Court using CM/ECF, which will send notification of such filing(s) to the following:

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I also certify that copies were caused to be served on January 10, 2007 upon the following in the manner indicated:

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